

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALICE HICKS,

Plaintiff,

v.

ROGER KUULA et. al.,

Defendant.

Case No. 05-5137 FDB

ORDER DENYING PLAINTIFF'S
MOTION TO SUBPOENA PROOF OF
SERVICE ON DEFENDANTS


This matter is before the Court on the motion of Plaintiff to subpoena proof of service on Defendants. On April 19, 2005, the Court mailed a Waiver of Service of Summons upon Defendants. After the allotted 30 days elapsed, and receiving no response to the waiver of service from Defendants, Plaintiff brought this motion. The Court ordered Defendants to show cause as to why it should not have costs of personal service imposed for its failure to comply with a request to waive service of a summons (dkt. #22). Defendants responded that the waiver was previously mailed on June 22, 2005. The Court is satisfied with the waiver of service. Personal service upon Defendants is no longer required; therefore, a fee will not be imposed. Plaintiff's motion to subpoena proof of service is moot and is therefore **DENIED**.

1 ACCORDINGLY,

2 IT IS ORDERED:

- 3 (1) The Court is satisfied with Defendants' response to the order to show cause. Waiver
4 of Service of Summons was given and no fee for personal service will be imposed;
5 (2) Plaintiff's motion to subpoena proof of service (dkt # 19) is moot and is therefore
6 **DENIED.**

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8 DATED this 12th day of July, 2005.

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10 FRANKLIN D. BURGESS
11 UNITED STATES DISTRICT JUDGE
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